

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MATTHEW TIMOTHY MESLOH,

Plaintiff,

v.

WALMART,

Defendant.

Case No. 3:24-CV-00494-ART-CLB

ORDER ADOPTING REPORT AND
RECOMMENDATION

Plaintiff Matthew Timothy Mesloh brought this action in November 2024, alleging civil rights claims against Defendant Walmart. Before the Court is Magistrate Judge Carla Baldwin's report and recommendation (R&R) (ECF No. 23). The R&R recommends that the Court dismiss this action based on Plaintiff's failure to timely file a second amended complaint in compliance with the Court's orders.

Magistrate judges are empowered to issue reports and recommendations on dispositive issues, which district judges may "accept, reject, or modify, in whole or in part." 28 U.S.C. § 636(b)(1)(C). Where, as here, neither party objects to a magistrate judge's recommendation, the district court is not required to perform any review of that judge's conclusions. *See Thomas v. Arn*, 474 U.S. 140, 150 (1985).

Judge Baldwin explains that after dismissing the first complaint with leave to amend, the Court granted Plaintiff several extensions to file an amended complaint. (ECF No. 23 at 1–2.) After the second extension, the Court cautioned Plaintiff that failure to file a second amended complaint would result in a recommendation of dismissal of this action. (*Id.* at 2.) Plaintiff did not file an amended complaint. (*Id.*) Judge Baldwin therefore recommends that this action be dismissed for lack of prosecution. (*Id.* at 3.)

1 Mesloh has not objected to Judge Baldwin's R&R, and his time to do so has
2 now expired. The Court agrees with Judge Baldwin's reasoning and adopts her
3 R&R in full.

4 **Conclusion**

5 It is therefore ordered that Judge Baldwin's report and recommendation
6 (ECF No. 23) is adopted in so far as it recommends dismissal.

7 Accordingly, this action is dismissed without prejudice.

8 The Clerk of Court is directed to close this case and enter judgment
9 accordingly.

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11 DATED: March 26, 2025

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16 ANNE R. TRAUM
17 UNITED STATES DISTRICT JUDGE
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